

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE #8

In re the Application of:

Keith E. Finger et al

Appl. Serial No. 09/808,657

Filed: March 15, 2001

For: A LIGHT DUTY BELT CLEANING SYSTEM:

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: Art Unit: 3651
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: Examiner: Rashmi K. Sharma
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:Certificate of Mailing Under 37 C.F.R. §1.8(a)

I hereby certify that this Correspondence, along with any paper referred to as being attached or enclosed, is being deposited on _____ with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

Date of CertificateDECLARATION OF GEORGE T. MOTT UNDER 37 C.F.R. §1.132

I, GEORGE T. MOTT, HEREBY DECLARE AND SAY:

1. I am an inventor named in the above-captioned U.S. Patent Application No. 09/808,657 filed March 15, 2001, and entitled "A LIGHT DUTY BELT CLEANING SYSTEM."
2. I am employed by ASGCO Manufacturing Company, Inc., located in Allentown, Pennsylvania, to which the captioned U.S. Patent Application is assigned, and I have been engaged in the designing and developing of scraping blades and conveyors for about sixteen (16) years. For about eighteen (18) years prior thereto, I maintained conveyors, belt cleaners and scraping blades, including the replacing of worn scraping blades.
3. I am also the inventor named in U.S. Patent No. 5,992,614 issued to George T. Mott for a "TENSIONING DEVICE FOR A BELT SCRAPER" (the "Mott Patent") and am familiar with the apparatus described therein. The Mott Patent is also assigned to ASGCO Manufacturing Company, Inc.
4. The Mott Patent is directed to a tensioning device 20 for a belt scraper in which a stationary [inner] collar 22 is fixed to mount 30 by spacer sleeve 31 and a rotating [outer] collar 28 is fixed to support shaft 18. An adjusting collar 24 is intermediate stationary collar 22 and rotating collar 28, and is pinned by locking pin 58 to stationary collar 22 to prevent relative rotation

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Declaration of George T. Mott

PATENT APPLICATION

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between the two collars 22 and 24, so that collar 24 also becomes stationary, and support shaft 18 is tensioned by spring 26 between collars 24 and 28. This is confirmed in the Mott Patent description that "the rotatable collar is fixed to the free end of the shaft" (column 1, lines 61-62) and a "stationary collar, located adjacent the adjusting collar, is fixed to the conveyor frame" (column 2, lines 1-2).

5. The tensioning device 20 described in the Mott Patent differs substantially from the tensioner recited in the claims of the above-captioned Patent Application. For example, claim 1 recites an outer collar affixed to the mount and an inner collar affixed to the blade holder which is the opposite of the collar arrangement described in the Mott Patent. Similarly, claim 58 recites an outer collar spaced away from the mounting plate and an inner collar rotatably disposed between the outer collar and the mounting plate, also opposite to the collar arrangement described in the Mott Patent.

6. The Mott Patent illustrates in Figure 1 a scraper blade 16 mounted on a rotatable support shaft 18. Because the Mott Patent is directed to the tensioning device 20, it is irrelevant to operation of the tensioner how blade 16 is mounted to support shaft 18. Thus the Mott Patent need not describe and does not describe the blade 16 or how blade 16 is mounted to support shaft 18.

7. A close inspection of Figure 1 of the Mott Patent discloses that blade 16 has at its base a "U"-shaped element that fits over a rectangular bar extending from support shaft 18. The U-shaped element is a metal channel and is very rigid, and blade 16 is fastened to the rectangular bar by either bolts or pins which are not shown in the Mott Patent and that pass through holes in both the metal channel and the rectangular bar.

8. The rigid U-shaped metal channel is not flexible and does not provide a pair of skirts that are flexible as recited in claim 22 of the above-captioned Patent Application. Because the rigid U-shaped metal member is not flexible, blade 16 of the Mott Patent cannot and does not releasably engage a blade holder as recited in claim 22 of the above-captioned Patent Application, i.e. it does not "snap on and snap off."

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code (18 U.S.C. §1001) and may jeopardize the validity of the patent application or any patent issuing thereon.

Declarant: GEORGE T. MOTT

Signature:

George T. Mott

Date:

Feb. 27, 2003